UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,841	11/30/2000	Mark Buonanno	CSCO-2894	3913

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WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER
BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/727,841	BUONANNO ET AL.
	Examiner	Art Unit	
	Djenane M. Bayard	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 June 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3,7,8,10-16,19,20,22-25,27-29,31 and 32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3,7-8, 10-16,19-20,22-25, 27-29,31-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This is in response to amendment filed on 6/29/06 in which claims 1, 3, 7-8, 10-16, 19-

20, 22-25, 27-29, 31 and 32 are pending.

Response to Arguments

2.   Applicant's arguments have been fully considered but they are not persuasive. Applicant

argues that the combination of Gopal, Toy and Jawajar et al fails to teach a method of handling

an exception in a business transaction that includes repeating said using an intelligent contact

manager sand said using a unified communication system to locate and to notify another

authorized representative from said hierarchical list until receipt of said confirmation from any

notified authorized representative". However, Toy clearly wherein method and apparatus for

monitoring a continuous stream of input data and notifying one or more users upon occurrence

of preselected events of interest. Input data pertaining to one or more classes of events of

interest, such as one or more sources of financial market and stock information, is received

and read by the system. This input data is compared to a user-specified list of specific

subclasses of information which are of interest, such as a list of user specified securities.

When data corresponding to the preselected list of relevant data is received, it is processed in

accordance with a set of preselected criteria and conditions. For example, if the received data

relates to a historical file which is being maintained, the historical file is updated accordingly.

In addition, if functional calculations dependent upon the received data have been specified,

such functional calculations are performed. In addition to the listing of relevant subclasses of

data, the user-specified conditions also may contain a list of threshold values which

represent specific conditions upon which the user desires to be notified of certain related

pertinent data. The system and method of the present invention compare the received data, and

the processed and calculated data derived therefrom, to the threshold values, and initiate an

appropriate contact sequence when one or more of the values is met. Similarly, the user may

specify that one or more of the processing parameters or thresholds previously discussed be

updated and modified upon occurrence of some preselected event. In such cases, the associated

adaptive parameters are appropriately updated when the related threshold value is met (See col.

3, lines 25-65). Furthermore, Toy teaches wherein if successful contact is not established, or if

a verification is required but not received, the system and method may provide for a repeated

attempt after some preselected delay, and/or for attempting further contact addresses contained

within the hierarchical listing (See col. 4, lines 33-45)

Claim Rejections - 35 USC § 103.

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1, 7,13-15, 19, 25, 27-29, 31-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent Application No. 2001/0032263 to Gopal et al in view of U.S.

Patent No. 4,554418 to Toy and further in view of U.S. Patent No. 6,289,333 to Jawahar et al.

a.   As per claims 1, 15, 25 and 29, Gopal et al teaches a method exceptions in a business-to-

business transaction, comprising the steps of: monitoring an internet gateway, through which the

business-to business transaction passes for timer expiration exceptions issued when a sending

application does not receive a confirmation within a predetermined amount of time (See page 6,

paragraph [0048], *when a receipt for a message is not present, the network controller is notified*),

transaction exceptions generated when content, format, security availability or other

characteristics of the transaction are out of pre-determined boundaries (See page 2, paragraph

[0021]) , and network exceptions wherein if an exception issued when a message infrastructure

cannot support the message transaction (See page 4, paragraph [0037], *if the destination*

connector is nonresponding and neither route point processor can complete transmission, and

error condition is encountered....Both the primary and secondary route point processor will

notify the network controller indicating that a transmission path to the destination connector

cannot be established) is detected: using an intelligent contact manager from a hierarchical list of

designated persons to automatically locate an authorized representative, wherein the authorized

representative is a designated person who has authority to consummate the business-to-business

transaction; using a unified communication system to automatically notifying the authorized

representative of the exception (See page 2, paragraph [0021]); However, Gopal et al fails to

teach If said authorized representative fails to send a confirmation acknowledging notification of

said exception, repeating said using an intelligent contact manager and said using unified

communication system to locate and to notify another authorized representative from said

hierarchical list until receipt of said confirmation from any notified authorized representative;

and if necessary, automatically establishing a collaboration session between representatives of the business-to-business transaction.

Toy teaches an information monitoring and notification method and apparatus. Furthermore, Toy teaches wherein if successful contact is not established, or if a verification is required but not received, the system and method may provide for a repeated attempt after some preselected delay, and/or for attempting further contact addresses contained within the hierarchical listing (See col. 4, lines 33-45)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Toy in the claimed invention of Gopal et al in order to provide an improve method and apparatus for information monitoring (See col. 3, lines 12-15).

Jawahar et al teaches establishing a web collaboration session between representatives of the business-to-business transaction to resolve said exceptions (See col. 2, lines 12-17 and col. 3, lines 60-62).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate establishing a collaboration session between representatives of the business-to-business transaction wherein the web collaboration session comprises page sharing, follow-me, form share, text chat, application demonstration, application sharing and white boarding functions as taught by Jawahar et al in the claimed invention of Gopal et al in order to retrieve resources provided from one client to the other client (See page 2, lines 16-18)

b.   As per claims 7 and 19, Gopal et al teaches wherein the unified communication system comprises voice messaging, email messaging, and fax messaging (See page 2, paragraph [0021]).

c.   As per claims 13, 27 and 31, Gopal et al teaches wherein the business-to-business

transaction is handled through e-mail and LDAP containing XML data (See page 2, paragraph

[0009 and 0021])

d.   As per claims 14, 28 and 32, Gopal et al teaches wherein the exception is handled by

email (See page 2, paragraph [0021]).

5.   Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554418 to Toy

and further in view of U.S. Patent No. 6,289,333 to Jawahar et al. as applied to claim 1 above,

and further in view of U.S. Patent Application No. 2004/0049562 to Kikinis.

a.   As per claims 3 and 16, Gopal et al teaches wherein the intelligent contact manager

comprises the functions of pre-routing, post-routing (See page 3, paragraph [0024]). However,

Gopal et al in view of Toy and further in view of Jawahar et al fails to teach wherein the

intelligent contact manager comprises the functions customer-profile, computer telephony

integration, enterprise-wide reporting, web interaction, remote agent support, voice recognition

integration, and workforce management integration.

Kikinis teaches wherein the intelligent contact manager comprises the functions

customer-profile, computer telephony integration, enterprise-wide reporting, web interaction,

remote agent support, voice recognition integration, and workforce management integration (See

page 3, paragraph [0024] and page 5, paragraph [0043]).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein the intelligent contact manager comprises the functions as

taught by Kikinis in the claimed invention of Gopal et al in view of Toy and further in view of

Jawahar et al in order to transmit data over networks as data packets 9see page 1, paragraph

[0003]).

6.   Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554418 to Toy

and further in view of U.S. Patent No. 6,289,333 to Jawahar et al. as applied to claim 1 above,

and further in view of U.S. Patent Application No. 2002/0194272 to Zhu et al.

a.   As per claims 8 and 20, Gopal et al in view of Toy and further in view of Jawahar et al

teaches the claimed invention as described above. However, Gopal et al in view of Toy and

further in view of Jawahar et al fails to teach wherein the unified communication system

comprises a telephone call, a sequence of contacts, an SMS message to a called party's pager or

cell phone, or incoming calls being routed through a series of telephone numbers based on peer,

person, or LDAP list.

Zhu teaches wherein the unified communication system comprises a telephone call, a

sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls

being routed through a series of telephone numbers based on peer, person, or LDAP list (See

page 1, paragraph [0006])

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein the unified communication system comprises a telephone call,

a sequence of contacts, an SMS message to a called party's pager or cell phone, or incoming calls

being routed through a series of telephone numbers based on peer, person, or LDAP list as taught

by Zhu et al in the claimed invention of Gopal et al in view of Jawahar et al in order to handle

calls from a number of customers (See page1, paragraph [0005]).

7.   Claims 10-12, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over .S.

Patent Application No. 2001/0032263 to Gopal et al in view of U.S. Patent No. 4,554418 to Toy

and further in view of U.S. Patent No. 6,289,333 to Jawahar et al as applied to claim 1 and 22

above, and further in view of U.S. Patent Application No. 2002/0049622 to Lettich et al.

a.   As per claims 10 and 22, Gopal et al in view of Toy and further in view of Jawahar et al

teaches the claimed invention as described above. However, Gopal et al in view of Toy and

further in view of Jawahar et al fails to teach wherein the apparatus handles exceptions

corresponding to demand planning.

Lettich et al teaches demand planning. (See 15, paragraph [0294]).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein the apparatus handles exceptions corresponding to demand

planning as taught by Lettich et al in the claimed invention of Gopal et al in view of Jawahar et

al in order to enable companies to meet the challenges of rising global networks (See page 1,

paragraph [0003])

b.   As per claims 11 and 23, Gopal et al in view of Toy and further in view of Jawahar et al

teaches the claimed invention as described above. However, Gopal et al in view of Toy and

further in view of Jawahar et al fails to teach wherein business-to-business (B2B) processing

utilizes the engine to perform steps of requisitioning, purchasing, approval, ordering, receiving,

distribution, payment, and measurement.

Lettich et al teaches wherein business-to-business (B2B) processing utilizes the engine to

perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment,

and measurement (See page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein business-to-business (B2B) processing utilizes the engine to

perform steps of requisitioning, purchasing, approval, ordering, receiving, distribution, payment,

and measurement as taught by Lettich et al in the claimed invention of Gopal et al in view of

Jawahar et al in order to enable companies to meet the challenges of rising global networks (See

page 1, paragraph [0003])

c.   As per claims 12 and 24, Gopal et al in view of Toy and further in view of Jawahar et al

teaches the claimed invention as described above. However, Gopal et al in view of Toy and

further in view of Jawahar et al fails to teach the step of handling exceptions corresponding to

procurement processes.

Lettich et al teaches wherein the exception corresponds to procurement processes (See

page 2, paragraph [0023]).

It would have been obvious to one with ordinary skill in the art at the time the invention

was made to incorporate wherein the exception corresponds to procurement processes as taught

by Lettich et al in the claimed invention of Gopal et al in view of Toy and further in view of

Jawahar et al in order to enable companies to meet the challenges of rising global networks (See

page 1, paragraph [0003]).

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878.

The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djenane Bayard

Patent Examiner

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER